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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Matthew J. WAGNER et al.	§	Confirmation No.:	9085
Serial No.:	10/034,224	§	Group Art Unit:	2682
Filed:	12/28/2001	§	Examiner:	Marceau Milord
For:	A Wireless Communication System Integrated Into A Computer Display	§	Docket No.:	200302319-1

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Number of pages: 18

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

February 9, 2006

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated January 23, 2006, Appellants submit a complete new Appeal Brief. In said Notice, the Examiner objected to Appellants' Appeal Brief filed November 10, 2005, because it allegedly "fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. § 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v))." A new Appeal Brief is submitted herewith that comports with this rule.

Respectfully submitted,



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Serial No.:	10/034,224	§	Group Art Unit:	2682
		§		
Filed:	12/28/2001	§	Examiner:	Marceau Milord
		§		
For:	A Wireless Communication	§	Docket No.:	200302319-1
	System Integrated Into A	§		
	Computer Display	§		

APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: February 9, 2006

Sir:

Appellants hereby submit this Appeal Brief in connection with the above-identified application. A Notice of Appeal was filed via facsimile on September 29, 2005.

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I. REAL PARTY IN INTEREST

The real party in interest is the Hewlett-Packard Development Company (HPDC), a Texas Limited Partnership, having its principal place of business in Houston, Texas. HPDC is a wholly owned affiliate of Hewlett-Packard Company (HPC). HPC merged with Compaq Computer Corporation (CCC) which owned Compaq Information Technologies Group, L.P. (CITG). The Assignment from the inventors to CITG was recorded on June 19, 2002, at Reel/Frame 013018/0470. The Change of Name document was recorded on December 2, 2003, at Reel/Frame 014177/0428.

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II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals or interferences.

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III. STATUS OF THE CLAIMS

Originally filed claims: 1-23.
Claim cancellations: None.
Added claims: None.
Presently pending claims: 1-23.
Presently appealed claims: 1-23.

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IV. STATUS OF THE AMENDMENTS

No claims were amended after the final Office action dated August 12, 2005.

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V. SUMMARY OF THE CLAIMED SUBJECT MATTER

In accordance with the invention of claim 1, a computer system, comprises a processor and a display. The display has an external casing in which a plurality of externally exposed recessed cavities are provided. At least one recessed cavity is adapted to receive a radio module and another recessed cavity is adapted to receive an antenna module. The antenna and radio modules are electrically connected together. See e.g., Figures 2-4 and associated text on pages 6-8 of Appellants' specification.

In accordance with the invention of claim 12, a display for an electronic device is disclosed. The display has a plurality of externally exposed recessed cavities formed therein into which radio and antenna modules can be removably inserted to provide a wireless communication capability for the electronic device. Figures 2-4 and associated text on pages 6-8.

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VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-23 are obvious under 35 U.S.C. § 103 over by Constien (U.S. Pat. No. 6,259,932) and Dosch (U.S. Pat. No. 6,587,698)

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VII. ARGUMENT

The claims do not stand or fall together. Instead, Appellants present separate arguments for various claims for purposes of this appeal. Each of these arguments is separately argued below and presented with separate headings as required by 37 C.F.R. § 41.37(c)(1)(vii).

A. Brief overview of Constien

Constien discloses a device that is a combination cellular telephone and computer. Figure 1 of Constien illustrates the device with the display 1 closed and usable as a cellular telephone. An antenna 9 can be extracted from the device and the back of the lid includes keys 5, a small display 4, a speaker 6 and a microphone 7. Figure 2 shows the display 1 open thereby exposing a keyboard 14 and a larger display 13. In the configuration of Figure 2, the device can be used as a handheld computer.

B. Brief Overview of Dosch

Figure 1 of Dosch is directed to a wireless communication card 1. The card includes a transmit-receive portion 4 and an antenna 6. A connector is provided on one end of the card for insertion into a portable computer. When installed in the computer, the curved portion 8 protrudes out of the computer. The card also includes a light emitting diode (LED) 17 that emits its light through an aperture 5a into the curved portion 8 which comprises a light diffuser. When in use, a person can glean status information pertaining to the card by the visual indication provided by the LED 17. See col. 1, line 56 through col. 2, line 30.

C. Claims 1-11

Appellants select claim 1 from this claim grouping as representative of the group for purposes of this appeal. Claim 1 requires a display having a plurality of externally exposed cavities in the display's outer casing. Further, "at least one recessed cavity is adapted to receive a radio module and another recessed cavity is adapted to receive an antenna module, the radio module being electrically connected to the antenna module." Constien simply does not disclose that "member 1," which comprises the telecommunication unit and display 13 (see, for example, Fig. 2) provides a plurality of externally exposed recessed cavities in

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which at least one of the cavities can be used for a radio module and another of the cavities can be used for an antenna module. Constien shows an antenna that resides within a hinge 8 connected to member 1, but that structure can hardly be considered to be a "recessed cavity" within a display casing.

The Examiner evidently agrees with argument and, instead, turns to Dosch for the limitation quoted above. The Examiner appears to argue that the antenna 6 of Dosch is contained within the diffuser 8 (through which the LED's light can be seen) and thus Dosch discloses a recessed cavity adapted to receive a radio module. The Examiner's argument is flawed for several reasons. First, the claim requires there to be multiple recessed cavities on outer casing of display. One cavity receives a radio module. Another cavity receives an antenna. Dosch does not have such cavities. The receiver-transmitter 4 of Dosch is not provided in a cavity of a display.

Additionally, combining the teachings of Dosch with Constien would not result in the invention of claim 1. Dosch disclosed a wireless card. Constien discloses a combination cell phone/computer with an antenna 9 that can be pulled out of a hinge 8 in the device. To one of ordinary skill in the art, combining Dosch and Constien would result in a combination cell phone/computer as in Constien, but with the antenna 9 replaced by a wireless card 1 as in Dosch. That being the likely result, the resulting hypothetical device would not comprise a display having multiple exposed recessed cavities to receive an antenna and a radio module.

Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping be reversed, and the claims set for issue.

D. Claims 12-23

Appellants select claim 12 from this claim grouping as representative of the group for purposes of this appeal. Claim 12 is directed to a display that has "a plurality of externally exposed recessed cavities formed therein into which radio and antenna modules can be removably inserted." As explained above, Constien does not disclose a plurality of such externally exposed recessed cavities in its display member 1. Further, Constien does not teach or suggest that

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any of its components, much less a radio or antenna module, can be "removably" inserted into the device of Constien. Dosch does not teach or suggest a display in which a plurality of externally exposed recessed cavities are formed, much less cavities into which radio and antenna modules can be removably inserted. As explained above, combining the wireless card of Dosch with the combination cell phone/computer of Constien would not result in a display as required by claim 12.

Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping be reversed, and the grouping set for issue.

E. Claims 4 and 15

Claims 4 and 15 depend from claims 1 and 12, respectively. The Examiner erred in rejecting these claims at least for the same reasons as their independent claims. The Examiner erred in rejecting these claims for an additional reason. Appellants select claim 15 from this claim grouping as representative of the group for purposes of the following argument. Claim 15 requires that the display include "cavities for a plurality of radio modules." In rejecting claim 15, the Examiner pointed to Figures 2-3 and col. 6, lines 11-49 and col. 7, lines 9-63 of Constien. Appellants have reviewed these passages of Constien and do not find any teaching or even a suggestion of a display having multiple cavities for a plurality of radio modules. Appellants also find a lack of such a teaching in Dosch.

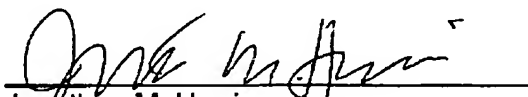
Based on the foregoing, Appellants respectfully submit that the rejections of the claims in this grouping be reversed, and the grouping set for issue.

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VIII. CONCLUSION

For the reasons stated above, Appellants respectfully submit that the Examiner erred in rejecting all pending claims. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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IX. CLAIMS APPENDIX

1. (Previously presented) A computer system, comprising:
a processor;
a display coupled to said processor, said display having an external casing
in which a plurality of externally exposed recessed cavities are
provided, at least one recessed cavity is adapted to receive a radio
module and another recessed cavity is adapted to receive an
antenna module, the radio module being electrically connected to
the antenna module.
2. (Original) The computer system of claim 1 wherein said radio module and
antenna module are flush with the outer surface of the casing.
3. (Original) The computer system of claim 1 wherein said radio module is
electrically connected to said antenna module via a conductor contained within
said display casing.
4. (Previously presented) The computer system of claim 1 wherein said
casing includes externally exposed cavities for a plurality of radio modules.
5. (Previously presented) The computer system of claim 1 wherein said
casing includes externally exposed cavities for a plurality of antenna modules.
6. (Previously presented) The computer system of claim 1 wherein said
casing includes externally exposed cavities for a plurality of radio modules and a
plurality of antenna modules.
7. (Original) The computer system of claim 6 wherein a radio module is
electrically connected to said antenna module via a conductor contained within
said display casing.

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8. (Original) The computer system of claim 6 wherein a radio module is electrically connected to a plurality of antenna modules via a conductor contained within said display casing.
9. (Original) The computer system of claim 6 wherein said plurality of radio modules is two radio modules and said plurality of antenna modules is three antenna modules.
10. (Original) The computer system of claim 1 wherein said radio module couples to other electronics in said computer system via a digital serial bus.
11. (Original) The computer system of claim 10 wherein said bus comprises a universal serial bus ("USB").
12. (Previously presented) A display for an electronic device having a plurality of externally exposed recessed cavities formed therein into which radio and antenna modules can be removably inserted to provide a wireless communication capability for said electronic device.
13. (Original) The display of claim 12 wherein said radio module and antenna module are flush with the outer surface of the display.
14. (Original) The display of claim 12 wherein a radio module is electrically connected to an antenna module via a conductor contained within said display.
15. (Original) The display of claim 12 including cavities for a plurality of radio modules.
16. (Original) The display of claim 12 including cavities for a plurality of antenna modules.

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17. (Original) The display of claim 12 including cavities for a plurality of radio modules and a plurality of antenna modules.

18. (Original) The display of claim 17 wherein a radio module is electrically connected to an antenna module via a conductor contained within said display.

19. (Original) The display of claim 17 wherein a radio module is electrically connected to a plurality of antenna modules via a conductor contained within said display.

20. (Original) The display of claim 17 wherein said plurality of radio modules is two radio modules and said plurality of antenna modules is three antenna modules.

21. (Original) The display of claim 12 including a recessed cavity for a communication hub interconnecting said radio module to said electronic device.

22. (Original) The display of claim 12 wherein said electronic device comprises a notebook computer.

23. (Original) The display of claim 12 wherein said electronic device comprises a handheld computer.

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X. EVIDENCE APPENDIX

None.

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XI. RELATED PROCEEDINGS APPENDIX

None.